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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 2338

UNITED STATES OF AMERICA v. MANUEL MACIAS	Magistrate Case No. COMPLAINT FOR VIOLATION OF Title 18, United States Code Sections 751(a) and 4082 Escape from Federal Custody

The undersigned complainant, being duly sworn states:

That on or about July 29, 2008, at San Diego, California, in the Southern District of California, MANUEL MACIAS did unlawfully and willfully escape from an institution and facility in which he was confined by direction of the Attorney General, to wit: CORRECTIONAL ALTERNATIVES RESIDENTIAL REENTRY CENTER, San Diego, California, a federally contracted facility, in violation of Title 18 United States Code Sections 751(a) and 4082, said custody and confinement being by virtue of a conviction of importation of marijuana, Title 21 United States Code Sections 952 and 960.

The complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

[signature]
Paul A. Beal
Deputy United States Marshal

Sworn to before me, and subscribed in my presence, this 30th day of July, 2008.

[signature]
Honorable Jan M. Adler
United States Magistrate Judge

Gsc

STATEMENT OF FACTS

Southern District of California
San Diego, California

I, Paul A. Beal, being duly sworn, hereby depose and state that:

I am a Deputy United States Marshal and have been so employed for six years.

This affidavit is made in support of a complaint against Manuel MACIAS for escape from the custody of the United States Attorney General, in violation of Title 18, United States Code Sections 751(a) and 4082.

On August 11, 2001, MACIAS was convicted and sentenced for violating Title 21 United States Code Sections 952 and 960, Importation of Marijuana, Case Number 01CR2594-J. MACIAS was sentenced to 60 months imprisonment and five years of supervised release. One of the conditions of his supervised release was that MACIAS was ordered to reside in a Residential Reentry Center for up to 120 days as directed by the probation officer.

On July 29, 2008, MACIAS signed a furlough application to release him from the custody of the Federal Correctional Institution (FCI) Victorville to Correctional Alternatives Inc. (CAI). As a condition of the furlough, MACIAS signed a form acknowledging that his furlough "only extends the limits of my confinement and that I remain in the custody of the Attorney General of the United States" and that failure to remain in custody "shall be deemed as escape from the custody of the Attorney General." MACIAS also signed an acknowledgment form promising to abide by the terms and conditions of residence at the CAI.

On July 29, 2008, during the 8:30 p.m. headcount at Community Corrections Center at 2727 Boston Avenue in San Diego, CA, it was discovered that MACIAS was not on the premises. MACIAS had last been seen by staff at 7:50 p.m.

On July 29, 2008 at 9:20 p.m. Community Corrections Manager Wes J. Mayhew notified the U.S. Marshals Southern District of California that MACIAS is on escape status.

Dated: July 30, 2008

Paul A. Beal
Deputy United States Marshal
United States Marshals Service

Subscribed and sworn to before me
on this 30th day of July 2008.

Honorable Jan M. Adler
United States Magistrate Judge